

FACSIMILE COVER SHEET

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Date: April 18, 2005
To: Examiner Mark Hellner
Group Art Unit: 3663
Fax No.: (703) 872-9306
Re: U.S. Patent Application No. 10/757,970
Filed: January 14, 2004
Applicants: Fausto Meli et al.
Docket No: CISCPC98C1
Attorney: Gary T. Aka

Attached:

- 1) Transmittal Form (1 pg);
- 2) Corrected Terminal Disclaimer (1 pgs).

Total Pages (including cover sheet) 3

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Diane Elzingre

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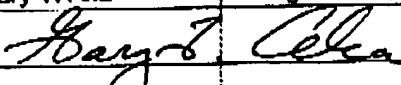
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/757,970	
	Filing Date	January 14, 2004	
	First Named Inventor	Fausto Meli	
	Group Art Unit	3683	
	Examiner Name	Mark Hellner	
Total Number of Pages in This Submission		Attorney Docket Number	CISCP698C1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Corrected Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Return Postcard <input type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm and Individual name	Gary T. Aka	Reg. No. 29,038
Signature		
Date	April 18, 2005	

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REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
CISCP698C1

In re Application of: Fausto Meli et al.

Application No.: 10/757,970

Filed: January 14, 2004

For: SHARED VARIABLE GAIN AMPLIFIER FOR WDM CHANNEL EQUALIZATION

The owner, Cisco Technology, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 8,697,193 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

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- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 40,043

Cindy Kaplan
Signature

4/16/2005
Date

Cindy S. Kaplan
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408-399-5608
Telephone Number

- ****
☐ Terminal Disclaimer fee previously submitted with
Terminal disclaimer fee under 37 CFR 1.20(d) included. terminal disclaimer filed on 1/21/05

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